

00-0-0186

(Do Not Write Above This Line)

AN ORDINANCE  
BY COUNCILMEMBER LEE MORRIS  
*Clair Muller*  
AN ORDINANCE TO AMEND THE CITY CODE  
OF ORDINANCES CHAPTER 10, ARTICLE II,  
SECTION 10-209 TO ESTABLISH A NEW  
CLOSING TIME FOR THOSE  
ESTABLISHMENTS LICENSED TO SELL  
ALCOHOLIC BEVERAGES; TO REPEAL  
CONFLICTING ORDINANCES AND FOR  
OTHER PURPOSES.

REFERRED BY JUN 19 2000  
CITY COUNCIL  
9/5/00 - Motion to Amend Passed by  
roll call vote. Motion to  
Refer Failed. Was Defeated.  
Motion to Adopt As Amended  
Failed. Was Defeated.

6/5/00  
Referred As Amended

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☒ PERSONAL PAPER REFER

Date Referred 2/7/00  
Referred To: P.S. & L.A.  
Date Referred 6/5/00  
Referred To: P.S. + L.A.  
Date Referred 6/19/00  
Referred To: P.S. & L.A.

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair *C. T. Muller*  
Referred to \_\_\_\_\_

Committee *P.S. & L.A.*  
Date *2/13/00*  
Chair *C. T. Muller*  
Action: \_\_\_\_\_  
Fav. Adv. Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members *2/29/00*  
*3/14/00*  
*3/28/00*  
*4/11/00*  
*5/19/00*  
Refer To \_\_\_\_\_

Committee *P.S. & L.A.*  
Date *6/27/00*  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav. Adv. Hold (see rev. side) \_\_\_\_\_  
Other: *Substituted*  
Members *7/11/00*  
*8/1/00*  
*8/16/00*  
Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

SEP 5 2000

CERTIFIED

SEP 05 2000

*Rachel Daughlin Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

AN ORDINANCE BY COUNCILMEMBERS LEE MORRIS                      00-O-0186  
AND CLAIR MULLER AS SUBSTITUTED BY PUBLIC SAFETY  
AND LEGAL ADMINISTRATION COMMITTEE

AN ORDINANCE TO AMEND THE CITY CODE OF  
ORDINANCES CHAPTER 10, ARTICLE II, SECTION 10-209  
TO ESTABLISH A NEW CLOSING TIME FOR THOSE  
ESTABLISHMENTS LICENSED TO SELL ALCOHOLIC  
BEVERAGES; TO REPEAL CONFLICTING ORDINANCES  
AND FOR OTHER PURPOSES.

**WHEREAS**, the City of Atlanta has an interest in maintaining the public health, safety and welfare; and

**WHEREAS**, pursuant to its police powers, the City of Atlanta is authorized to enact legislation to regulate certain types of businesses and industries which could potentially affect the public health, safety and welfare, including businesses which involve the manufacture, distribution, or sale of alcoholic beverages; and

**WHEREAS**, there exists a serious public safety concern associated with many establishments which are licensed to sell alcoholic beverages for consumption on the premises and their failure to adequately monitor and supervise their premises and parking lots utilized by their patrons, particularly after 2:00 a.m.; and

**WHEREAS**, the City of Atlanta's current regulations pertaining to the sale of alcoholic beverages authorizes establishments selling alcoholic beverages to sell such beverages up to 4:00 a.m. on the weekdays, 2:55 a.m. on Sundays and, depending on the type of license that has been issued to a particular establishment, up to 12:00 midnight on Sundays; and

**WHEREAS**, the City of Atlanta believes that to best serve the interest of the public safety and general welfare of its citizens and visitors, it is necessary to change the time at which establishments licensed to sell alcoholic beverages must cease the sale of alcoholic beverages;

**NOW THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA  
HEREBY ORDAINS** as follows:

**Section 1.** That Chapter 10, Article II, Section 10-209(c) of the City of Atlanta Code of Ordinances is hereby amended to delete the current language and to insert in lieu thereof the following language so that said section reads as follows:

(c) *Sale of wine or malt beverages for on-premises consumption.* Except as otherwise provided by O.C.G.A § 3-3-7, all licensees in wine or malt beverages for consumption on the premises shall be authorized to engage in the sale of those wines or beverages on Monday through Saturday between the hours of 9:00 a.m. of one day and 2:00 a.m. of the following day. No sale of wine or malt beverages by the drink shall take place on Monday between the hours of 12:01 a.m. and 8:59 a.m. Wine and/or malt beverages may only be sold on Sundays in public stadiums, coliseums and auditoriums with a seating capacity in excess of 3,500 persons; in restaurants (as defined in Code § 10-1); and in special entertainment districts (as defined in Code § 10-211); and such sales shall only occur between the hours of 12:30 p.m. and 12:00 midnight in such establishments. Notwithstanding this subsection, a licensed farm winery tasting room located within a special entertainment district may sell wine for on-premises consumption on Sundays from 12:30 p.m. until 12:00 midnight, as permitted by O.C.G.A. § 3-6-21.2. Wine and/or malt beverages may also be served on Sunday in conjunction with the issuance of an outdoor festival permit pursuant to Code § 138-204 and/or a special event permit pursuant to Code § 10-8. This section shall not apply to those establishments licensed to sell alcohol as a private club as defined in Code § 10-1.

**Section 2.** That Chapter 10, Article II, Section 10-209(d) of the City of Atlanta Code of Ordinances is hereby amended to delete the current language and to insert in lieu thereof the following language so that said section reads as follows:

(d) *Sale of distilled spirits by the drink or for on-premises consumption.* Except as otherwise provided by O.C.G.A § 3-3-7, all licensees for the sale of distilled spirits by the drink or for the operation of a bottle house on the premises shall be authorized to engage in the sale of those distilled spirits on Monday through Saturday between the hours of 9:00 a.m. of one day and 2:00 a.m. of the following day. No sale of distilled spirits by the drink shall take place on Monday between the hours of 12:01 a.m. and 8:59 a.m. Distilled spirits by the drink may only be sold on Sundays in public stadiums, coliseums and auditoriums with a seating capacity in excess of 3,500 persons; in restaurants (as defined in Code § 10-1); and in special entertainment districts (as defined in Code § 10-211); and such sales shall only occur between the hours of 12:30 p.m. and 12:00 midnight in such establishments. Distilled spirits may also be served on Sunday in conjunction with the issuance of an outdoor festival permit pursuant to Code § 138-204 and/or a special event permit pursuant to Code § 10-8. This section shall not apply to those establishments licensed to sell alcohol as a private club as defined in Code § 10-1.

**Section 3.** The effective date of this ordinance shall be January 1, 2001.

**Section 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

RCS# 2200  
9/05/00  
3:58 PM

Atlanta City Council

Regular Session

00-O-0186

New Closing Time for Ests. Licensed to  
Sell Alcohol  
AMEND

YEAS: 8  
NAYS: 7  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y McCarty	Y Dorsey	N Moore	N Thomas
Y Starnes	Y Woolard	N Martin	Y Emmons
N Bond	Y Morris	N Maddox	Y Alexander
N Winslow	Y Muller	N Boazman	NV Pitts

00-O-0186

RCS# 2199  
9/05/00  
3:57 PM

Atlanta City Council

Regular Session

*Void*

00-O-0186

New Closing Time for Ests. Licensed to  
Sell Alcohol  
AMEND - Woolard

*Ms. Woolard's  
Vote did  
not record*

YEAS: 7  
NAYS: 7  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y McCarty	Y Dorsey	N Moore	N Thomas
Y Starnes	NV Woolard	N Martin	Y Emmons
N Bond	Y Morris	N Maddox	Y Alexander
N Winslow	Y Muller	N Boazman	NV Pitts

00-O-0186

RCS# 2201  
9/05/00  
4:12 PM

Atlanta City Council

Regular Session

00-O-0186

New Closing Time for Ests. Licensed to  
Sell Alcohol  
REFER

YEAS: 6  
NAYS: 9  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

*MOTION TO REFER  
FAILED/Was  
Defeated*

N McCarty	Y Dorsey	N Moore	Y Thomas
N Starnes	N Woolard	N Martin.	N Emmons
Y Bond	N Morris	Y Maddox	Y Alexander
Y Winslow	N Muller	N Boazman	NV Pitts

00-O-0186

RCS# 2202  
9/05/00  
4:45 PM

Atlanta City Council

Regular Session

00-O-0186

New Closing Time for Ests. Licensed to  
Sell Alcohol  
ADOPT AS AMEND

YEAS: 7  
NAYS: 8  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

*Motion To ADOPT  
AS AMENDED  
FAILED / Was Defeated*

Y McCarty	N Dorsey	N Moore	N Thomas
Y Starnes	Y Woolard	N Martin	Y Emmons
N Bond	Y Morris	N Maddox	Y Alexander
N Winslow	Y Muller	N Boazman	NV Pitts

00-O-0186